CBD Sues CDC to Obtain Documents on COVID Vaccine Injuries and Deaths Reported in VAERS

Center for Biological Diversity (file)

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By Brenda Baletti, Ph.D.

The Center for Biological Diversity filed a lawsuit on U.S. District Court for the District of Columbia against the Centers for Disease Control and Prevention (CDC) and Department of Health and Human Services (HHS) on Wednesday.

The lawsuit alleges the CDC violated provisions of the Freedom of Information Act (FOIA) by failing to respond to CHD's FOIA requests to provide key analyses of reports in the vaccine safety database and minor- and inter-agency communications about those reports.

The CDC has failed to respond to CHD's FOIA requests since 2021.

The agency said the requested information would be forthcoming by December of last year, but the documents were not released.

CHD is asking the court to compel the release of the requested documents in compliance with the FOIA.

Mary Holland, CHD president and general counsel, explained the significance of the lawsuit to The Defender:

"The CDC continues to act like American public to believe that COVID shots are safe and effective, despite the fact that the agency knows they are not. CDC goes out of its way to lie and to claim 'No one should take vaccine safety on faith.'

CDC analyzes of VAERS data

The CDC and the U.S. Food and Drug Administration (FDA) jointly administer VAERS, a database that shows reports of adverse events and vaccines to the reports about vaccine-related injuries.

While VAERS reports of adverse events don't prove causality, the CDC considers VAERS to be a very useful "early signpost" for detecting unusual or unexpected adverse events that may be caused by vaccines, and for monitoring trends in vaccine safety.

Each agency would use a different standard approach to data mining to screen for potential safety signals.

The CDC's algorithm — called the proportional reporting ratio (PRR) data mining method — looks, as needed, PRR would compare the reports of specific adverse events suffered after receiving a Moderna or Pfizer mRNA vaccine to reports of the same after receiving any other vaccine to see if there is an indication that the COVID-19 vaccines are causing more adverse events than vaccines generally considered to be safe.

The GSP stipulated that the FDA would conduct a bi-weekly thorough manual review of serious adverse events and through empirical hypothesis testing, which uses a different statistical method to compare adverse events reported for COVID-19 vaccines with those related to non-COVID-19 vaccines in order to identify safety signals.

According to the CDC, if/when forms of data mining raise a safety signal, then the agencies would do further analysis to determine whether the adverse events are caused by the vaccine and that data would be shared with the public.

Both agencies failed to make data public.

The CDC continued to withhold the data it collected on adverse events related to its empirical Bayesian data mining. The Defender reported.

In today's case, CHD seeks two requests.

The first request sought the records of all PRR conducted by the CDC related to COVID-19 from Oct. 1, 2021, to the present, along with all communications within the CDC and with the FDA about the PRR results and findings. Investigators requested by the GSP done in connection with those results.

The second request sought the data sets CDC and FDA analysts relied on in order to identify safety signals.

Since last year, the CDC has issued a series of conflicting statements to The Epoch Times and CHD regarding the ongoing, improvised release of the data.

In January 2023, The Epoch Times reported that the CDC said it would release some of the PRR analyses it conducted between March and July 2022. The CDC said it would release an overall PRR analysis of all reports received from Dec. 14, 2020, to July 29, 2022.

But, it only shared bi-weekly analyses from seven weeks — the weeks of July 15, 2022, to Aug. 26, 2022 — and only for reports of deaths, not for other adverse events or whether it ever did the ongoing analyses mandated by the GSP.

That analysis revealed hundreds of safety signals, including signals for serious conditions such as blood clots in the lungs, myocardial infarction (MI), or heart attack, in oxygen to the heart and even death.

The CDC admitted it gave false information about COVID-19 vaccine surveillance, including inaccurately saying it had conducted a certain type of analysis when it had not, Reuters reported.

A FOIA request revealed, in late August 2022, that the CDC contracted with General Dynamics to handle VAERS reports for COVID-19 vaccines. The contract anticipated up to 1,000 reports per day, with up to 40% of them serious or fatal injuries, Jon Fleischman reported. The value of the year-long contract was $9.45 million.

"This means that months before the CDC claimed it was overwhelmed by COVID vaccines, the CDC anticipated up to a 1000% increase over the average annual number of VAERS reports in recent years with 40% of them serious reports," Gustafson said in his report.

In March 2021 the contract was amended to process backdated reports filed through VAERS. Of the an additional 567,115 reports The CDC also contracted Eagle Medical Services to process 1,000 reports per day, Fleischman reported.

Although other financial information about the dollar amount associated with the contracts was redacted, Gustafson estimated that the CDC paid contractors at least $40 million over two years to process VAERS reports.

Every Friday, VAERS publishes vaccine injury reports received as of a specified date. Reports submitted to VAERS require further investigation before a causal relationship can be confirmed. Historically, VAERS has been shown to report only 1% of vaccine adverse events, Reuters reported.

As of Dec. 9, 2022, a total of 1,217,779 reports of adverse events following COVID-19 vaccines were submitted between Dec. 14, 2020, and Dec. 9, 2022, to VAERS.

The data included a total of 34,259 reports of deaths and 279,669 serious injuries, including deaths, during the same time period.

Of the 8.2 billion reported injuries, 2,197 cases are attributed to Pfizer's COVID-19 vaccine, 14,558 cases to Moderna's, 3,844 cases to Johnson & Johnson's Janssen and no cases yet reported for Novavax.

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Brenda Baletti, Ph.D., is a reporter for The Defender. She wrote and edited book chapters and articles for 10 years in the environmental field. She holds a Ph.D. in human geography from the University of North Carolina at Chapel Hill and a master's degree in journalism from NYU.

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